

B1 (Official Form 1)(1/08)

United States Bankruptcy Court District of Oregon				Voluntary Petition											
Name of Debtor (if individual, enter Last, First, Middle): McGrath's Publick Fish House, Inc.			Name of Joint Debtor (Spouse) (Last, First, Middle):												
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): FDBA McGrath's Properties LLC			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):												
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 93-0764760			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)												
Street Address of Debtor (No. and Street, City, and State): 1935 Davcor St SE Salem, OR			Street Address of Joint Debtor (No. and Street, City, and State):												
ZIP Code 97302			ZIP Code												
County of Residence or of the Principal Place of Business: Marion			County of Residence or of the Principal Place of Business:												
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):												
ZIP Code			ZIP Code												
Location of Principal Assets of Business Debtor (if different from street address above): See Attached															
Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.											
Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).												
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.					THIS SPACE IS FOR COURT USE ONLY										
Estimated Number of Creditors <table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/> 1-49</td> <td><input type="checkbox"/> 50-99</td> <td><input type="checkbox"/> 100-199</td> <td><input type="checkbox"/> 200-999</td> <td><input checked="" type="checkbox"/> 1,000-5,000</td> <td><input type="checkbox"/> 5,001-10,000</td> <td><input type="checkbox"/> 10,001-25,000</td> <td><input type="checkbox"/> 25,001-50,000</td> <td><input type="checkbox"/> 50,001-100,000</td> <td><input type="checkbox"/> OVER 100,000</td> </tr> </table>						<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input checked="" type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000
<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input checked="" type="checkbox"/> 1,000-5,000		<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000					
Estimated Assets <table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/> \$0 to \$50,000</td> <td><input type="checkbox"/> \$50,001 to \$100,000</td> <td><input type="checkbox"/> \$100,001 to \$500,000</td> <td><input type="checkbox"/> \$500,001 to \$1 million</td> <td><input type="checkbox"/> \$1,000,001 to \$10 million</td> <td><input checked="" type="checkbox"/> \$10,000,001 to \$50 million</td> <td><input type="checkbox"/> \$50,000,001 to \$100 million</td> <td><input type="checkbox"/> \$100,000,001 to \$500 million</td> <td><input type="checkbox"/> \$500,000,001 to \$1 billion</td> <td><input type="checkbox"/> More than \$1 billion</td> </tr> </table>						<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input checked="" type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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Estimated Liabilities <table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/> \$0 to \$50,000</td> <td><input type="checkbox"/> \$50,001 to \$100,000</td> <td><input type="checkbox"/> \$100,001 to \$500,000</td> <td><input type="checkbox"/> \$500,001 to \$1 million</td> <td><input type="checkbox"/> \$1,000,001 to \$10 million</td> <td><input checked="" type="checkbox"/> \$10,000,001 to \$50 million</td> <td><input type="checkbox"/> \$50,000,001 to \$100 million</td> <td><input type="checkbox"/> \$100,000,001 to \$500 million</td> <td><input type="checkbox"/> \$500,000,001 to \$1 billion</td> <td><input type="checkbox"/> More than \$1 billion</td> </tr> </table>					<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input checked="" type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion	
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Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

McGrath's Publick Fish House, Inc.**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

- None -

Case Number:

Date Filed:

District:

Relationship:

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

McGrath's Publick Fish House, Inc.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X _____
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Signature of Attorney*

X **/s/ Leon Simson** _____
Signature of Attorney for Debtor(s)

Leon Simson OSB#75342

Printed Name of Attorney for Debtor(s)

Tonkon Torp LLP

Firm Name

**1600 Pioneer Tower
888 SW Fifth Ave
Portland, OR 97204-2099**

Address

503-221-1440 Fax: 503-274-8779

Telephone Number

February 3, 2010

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X **/s/ John P. McGrath** _____
Signature of Authorized Individual

John P. McGrath

Printed Name of Authorized Individual

President

Title of Authorized Individual

February 3, 2010

Date

*In re: McGrath's Publick Fish House, Inc.***Attachment to Voluntary Petition****Locations of Principal Assets of Debtor (restaurant locations)**

<u>Rest. #</u>	<u>Property Location / Name</u>	<u>Address</u>	<u>City, State ZIP</u>
15	Beaverton	3211 SW Cedar Hills Blvd	Beaverton, OR 97005-1339
3	Bend	3118 N Highway 97	Bend, OR 97701
8	Boise	1749 S Cole Road	Boise, ID 83709
6	Corvallis	350 Circle Blvd	Corvallis, OR 97330
5	Eugene	1036 Valley River Way	Eugene, OR 97401
21	Federal Way - The Commons	1911 South 320th Street	Federal Way, WA 98003-5165
19	Goodyear	1800 N Litchfield Rd	Goodyear, AZ 85395
20	Lakewood	14035 W Colfax Dr	Lakewood, CO 80401
13	Layton	908 Main Street	Layton, UT 84041
17	Lynwood - Alderwood Mall	3000 184th St SW Suite 870	Lynnwood, WA 98037
7	Medford	68 E Stewart Ave	Medford, OR 97501
14	Mesa	1610 So Stapley Drive	Mesa, AZ 85204-6610
4	Milwaukie	11050 SE Oak St	Milwaukie, OR 97222
10	Orem	860 West 1250 South	Orem, UT 84058-5904
99	Salem - <i>Corporate Office</i>	1935 Davcor St S E	Salem, OR 97302
1	Salem - Downtown	350 Chemeketa St	Salem, OR 97301
2	Salem - Lancaster Mall	3805 Center Street N E	Salem, OR 97301
12	Salt Lake City - Gateway Mall	190 South 400 West	Salt Lake City, UT 84101
11	Sandy	10590 S. State Street	Sandy, UT 84070
18	Scottsdale	7000 E Mayo Blvd Bldg #5	Phoenix, AZ 85054
9	Vancouver	12501 SE Second Circle	Vancouver, WA 98684

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGONIn re
McGrath's Publick Fish House, Inc.

) Case No. _____

)

)

EXHIBIT "C-1"

)

Debtor(s)

) [NOTE: Must be FULLY completed by ALL debtors
) and attached to ALL copies of the Petition.]**(NOTE: You must answer ALL questions. Attach additional sheets if necessary. Use of "UNKNOWN" is NOT acceptable!)**

1. DESCRIBE ASSETS REQUIRING TRUSTEE'S IMMEDIATE ATTENTION:

NONE

2. Street address and description of principal assets (note property):

Debtor owns and/or operates multiple properties - please refer to Attachment to Voluntary Petition for locations of principal assets of debtor3. **The BANKRUPTCY DOCUMENT PREPARER DECLARATION below has been completed for any person who helped, for compensation, prepare any of the bankruptcy papers if the debtor does not have an attorney.**

I declare under penalty of perjury that the above information provided in this Exhibit "C-1" is true and correct.

DATE: February 3, 2010/s/ John P. McGrath1-503-399-8456

Debtor's Signature

Phone #

Joint Debtor's Signature

BANKRUPTCY DOCUMENT PREPARER DECLARATION**I, the undersigned, declare under penalty of perjury that (1) neither I, nor anyone else listed herein, collected or received any payment from or on behalf of the debtor for court fees in connection with filing the petition; (2) I have received \$_____ from or on behalf of the debtor within the previous 12 month period; (3) \$_____ is the unpaid fee charged to the debtor; and (4) the following is true and accurate about myself and any other assistants:**

Individual Name and Firm (Type or Print): _____

Address (Type or Print): _____

Last 4 digits of Social Security Number of all OTHER individuals who prepared or assisted in the preparation of these bankruptcy documents: _____

Signature: _____ Last 4 digits of Social Security #: _____ Phone #: _____

[NOTE: Penalties up to \$500 per item may be assessed for omission of any required information (11 USC §110; 18 USC §156) and Fed. Bankruptcy Rule 1006 prohibits further payment to any person for services until the court filing fees are paid in full.]

EXHIBIT C-1 (8/8/08)

United States Bankruptcy Court
District of Oregon

In re McGrath's Publick Fish House, Inc.

Debtor(s)

Case No.

Chapter

11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	amount determined in accordance with hourly rates as approved by the Court
Prior to the filing of this statement I have received	\$	232,508.22
Balance Due	\$	no balance owed currently; future post-petition amounts owing to be determined by Order of the Court

2. \$ 1,039.00 of the filing fee has been paid.

3. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify): **Since August 2008, Tonkon Torp LLP has received \$132,508.22 from Debtor for legal services performed on behalf of Debtor (see attached Exhibit A). Tonkon Torp LLP also received a \$100,000 retainer from Debtor prepetition (of which \$10,000 of the retainer was received July 14, 2008 and \$90,000 was received February 2, 2010), of which \$20,669.00 was applied to fees for prepetition services and the cost of the filing. The remaining retainer of \$79,331.00 is currently held in Tonkon Torp's LLP's trust account.**

4. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify):

5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

General representation of Debtor in regard to the Chapter 11 case.

7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Representation of Debtor in any related actions or proceedings where it may be subsequently determined that there exists a conflict, such that third party counsel must be engaged on behalf of Debtor. (If applicable, such a conflict would be disclosed in pleadings filed with this Court).

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: February 3, 2010

/s/ Leon Simson

Leon Simson OSB#753429
Tonkon Torp LLP
1600 Pioneer Tower - 888 SW Fifth Ave
Portland, OR 97204-2099
503-802-2067 Fax: 503-972-3767

McGrath's Publick Fish House, Inc.**Financial Matters****034434-00001**

Invoice Number	Billed Date	Date Paid	Check No.	Amount Billed	Paid
1426126	8/11/2008	8/22/2008	141986	16,888.50	16,888.50
1426974	9/9/2008	10/1/2008	142701	12,732.50	12,732.50
1427847	10/7/2008	10/23/2008	143430	4,270.00	4,270.00
1429010	11/10/2008	11/24/2008	144349	4,245.00	4,245.00
1430171	12/10/2008	12/31/2008	145291	2,720.00	2,720.00
1431202	1/20/2009	2/18/2009	146351	5,786.50	5,786.50
1432337	2/20/2009	3/18/2009	147070	998.00	998.00
1433105	3/11/2009	4/6/2009	147614	450.00	450.00
1433953	4/6/2009	5/18/2009	148141	2,340.00	2,340.00
1435559	5/14/2009	6/9/2009	149215	3,849.05	3,849.05
1436644	6/16/2009	7/6/2009	149880	1,080.00	1,080.00
1437770	7/21/2009	8/10/2009	150746	354.00	354.00
1438790	8/17/2009	9/18/2009	151460	2,595.90	2,595.90
1439623	9/14/2009	10/16/2009	152279	4,271.00	4,271.00
1440577	10/13/2009	11/13/2009	152810	2,971.07	2,971.07
1441385	11/9/2009	1/20/2010	155094	5,186.30	5,186.30
1442758	12/17/2009	1/20/2010	155094	8,714.80	8,714.80
1443456	1/14/2010	1/20/2010	155094	6,608.50	6,608.50
1443933	2/2/2010	2/2/2010	wire	45,913.10	45,913.10
				131,974.22	131,974.22

Scottsdale**034434-00002**

Invoice Number	Billed Date	Date Paid	Check No.	Amount Billed	Paid
1442759	12/17/2009	1/20/2010	155094	444.00	444.00
1443934	2/2/2010	2/2/2010	wire	90.00	90.00
				534.00	534.00
				<u>132,508.22</u>	<u>132,508.22</u>

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court
District of Oregon**

In re **McGrath's Publick Fish House, Inc.**

Debtor(s)

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
General Electric Capital Corp Attn Doby A Rose, VP GE Capital Global Restructuring Solution 4 Park Plaza #1400 Irvine, CA 92614-8560	Doby Rose General Electric Capital Corp Attn Doby A Rose, VP GE Capital Global Restructuring Solution Irvine, CA 92614-8560 949-838-3075	**DEFICIENCY CLAIM** Building Loans - Federal Way, WA & Alderwood, WA); Equipment Loans - Goodyear, AZ, Scottsdale, AZ & Federal Way, WA		3,891,611.80 (2,001,322.78 secured)
Sterlings Savings Bank Attn Glen Petersen, Special Assets 111 N Wall St VOF 1262 Spokane, WA 99201	Glen Petersen Sterlings Savings Bank Attn Glen Petersen, Special Assets 111 N Wall St Spokane, WA 99201 509-363-0766	**DEFICIENCY CLAIM** Building and Equipment Loans - Lakewood, CO		3,448,900.00 (2,462,283.00 secured)
Key Equipment Finance Attn Eugene R Luisi Asset Recovery Group 102 E Yakima Ave - POB 182 Yakima, WA 98907	Eugene R Luisi Key Equipment Finance Attn Eugene R Luisi Asset Recovery Group Yakima, WA 98907 509-574-3105	**DEFICIENCY CLAIM** Equipment Leases - Corvallis, OR, Sandy, UT, Salt Lake City, UT Gateway Mall, Orem, UT		935,054.33 (47,049.43 secured)
KeyBank N.A. Attn Eugene R Luisi Asset Recovery Group 102 E Yakima Ave - POB 182 Yakima, WA 98907	Eugene R Luisi KeyBank N.A. Attn Eugene R Luisi Asset Recovery Group Yakima, WA 98907 509-574-3105	**DEFICIENCY CLAIM** Building Loan - Scottsdale, AZ		1,362,900.00 (617,406.00 secured)
Arizona Business Bank Attn Julie H Chase 1757 E Baseline Rd Building 1 #101 Gilbert, AZ 85233	Julie H Chase Arizona Business Bank Attn Julie H Chase 1757 E Baseline Rd Gilbert, AZ 85233 602-240-2723	**DEFICIENCY CLAIM** Building/Land Loan - Goodyear, AZ		2,296,715.25 (1,631,634.00 secured)

B4 (Official Form 4) (12/07) - Cont.

In re **McGrath's Publick Fish House, Inc.**

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
US Bancorp Equipment Finance Attn Betty Kinoshita, VP Special Assets Group (PD-OR-P5SA) 555 SW Oak St #505 Portland, OR 97204	Betty Kinoshita US Bancorp Equipment Finance Attn Betty Kinoshita, VP Special Assets Group (PD-OR-P5SA) Portland, OR 97204 503-275-3220	**DEFICIENCY CLAIM** Equipment Leases - Beaverton, OR, Layton, UT, Mesa, AZ		1,017,762.56 (534,358.38 secured)
SunTrust Equipment Finance & Leasing Cor Attn Mike Ireton 300 E. Joppa Rd., Suite 700 Towson, MD 21286	Mike Ireton SunTrust Equipment Finance & Leasing Cor Attn Mike Ireton 300 E. Joppa Rd., Suite 700 Towson, MD 21286 410-307-6634	**DEFICIENCY CLAIM** Equipment Loans (refrigeration) - Bend, OR; Eugene, OR; and Medford, OR		277,403.29 (90,000.00 secured)
GE Capital Franchise Finance Corp Attn Carolyn Jarvis or Hal Vinson 8377 East Hartford Dr #200 Scottsdale, AZ 85255	Carolyn Jarvis or Hal Vinson GE Capital Franchise Finance Corp Attn Carolyn Jarvis or Hal Vinson 8377 East Hartford Dr #200 Scottsdale, AZ 85255 480-563-6080	**DEFICIENCY CLAIM** Equipment Loan with GE Capital Franchise Finance Corp - Alderwood, WA		642,740.00 (504,780.48 secured)
Pacific Sea Food - Oregon Attn Doug Roan POB 97 Clackamas, OR 97015	Doug Roan Pacific Sea Food - Oregon Attn Doug Roan POB 97 Clackamas, OR 97015 503-989-2110	trade debt (NOTE: Debtor will file a motion for authority to pay these amounts to vendor under 503(b)(9) and 507(a)(2))		106,595.94
Inland SW Management LLC Attn Tracy James - Bldg 5070 90 South 400 West #330 Salt Lake City, UT 84101	Tracy James Inland SW Management LLC Attn Tracy James - Bldg 5070 90 South 400 West #330 Salt Lake City, UT 84101 801-456-0007	Lease on Salt Lake City Location; rent owed to landlord		95,612.08
Sysco Food Services of Portland Inc Attn Kevin Perman POB 2210 Wilsonville, OR 97070	Kevin Perman Sysco Food Services of Portland Inc Attn Kevin Perman POB 2210 Wilsonville, OR 97070 503-682-8281	trade debt (NOTE: Debtor will file a motion for authority to pay these amounts to vendor under 503(b)(9) and 507(a)(2))		88,404.11

B4 (Official Form 4) (12/07) - Cont.

In re **McGrath's Publick Fish House, Inc.**

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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Alderwood Mall LLC c/o GGP / Homart II LLC 110 N Wacker Dr Chicago, IL 60606	Jerry Alder Alderwood Mall LLC c/o GGP / Homart II LLC 110 N Wacker Dr Chicago, IL 60606 425-771-1121	Lease on Lynnwood Location; rent owed to landlord		69,246.17
Pan Pacific Retail Properties c/o Kimco Realty (Milwaukie MarketPlace) Attn Roger Shirley 13635 NW Cornell Rd #160 Portland, OR 97229	Roger Shirley Pan Pacific Retail Properties c/o Kimco Realty (Milwaukie MarketPlace) Attn Roger Shirley Portland, OR 97229 503-574-3329 ext 202	Lease on Milwaukie Location; rent owed to landlord		62,998.14
GE Commercial Finance Business Property Attn Mike Hudspeth 16479 Dallas Pkwy #500 Addison, TX 75001	Mike Hudspeth GE Commercial Finance Business Property Attn Mike Hudspeth 16479 Dallas Pkwy #500 Addison, TX 75001 Mike Hudspeth	**DEFICIENCY CLAIM** Building Loan - Federal Way, WA		2,452,321.38 (2,404,367.00 secured)
Sundance Development Inc. c/o John Hanks 3340 Tully Road Suite C-1 Modesto, CA 98350	John Hanks Sundance Development Inc. c/o John Hanks 3340 Tully Road Suite C-1 Modesto, CA 98350 858-866-6777	Lease on Boise Location; real property taxes owed to landlord		32,654.14
RPP Bend I, LLC 9601 Wilshire Blvd Suite 260 Beverly Hills, CA 90210	Rita Jones RPP Bend I, LLC 9601 Wilshire Blvd Suite 260 Beverly Hills, CA 90210 541-388-3644	Lease on Bend Location; rent owed to landlord		28,490.16
Duck Delivery Produce Inc Attn Derek Delandro 8448 NE 33rd Dr #120 Portland, OR 97211-2163	Derek Delandro Duck Delivery Produce Inc Attn Derek Delandro 8448 NE 33rd Dr #120 Portland, OR 97211-2163 (503) 288-9380	trade debt (NOTE: Debtor will file a motion for authority to pay these amounts to vendor under 503(b)(9) and 507(a)(2)		23,529.50
Outlot Developers Attn Clarke Smith 735 Ohms Way Costa Mesa, CA 92627	Clarke Smith Outlot Developers Attn Clarke Smith 735 Ohms Way Costa Mesa, CA 92627 949-646-9648	Lease on Eugene Location; real property taxes owed to landlord		20,612.74

B4 (Official Form 4) (12/07) - Cont.

In re **McGrath's Publick Fish House, Inc.**

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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Sysco Intermountain Food Svcs POB 27638 Salt Lake City, UT 84127-0638	Ben Butler Sysco Intermountain Food Svcs POB 27638 Salt Lake City, UT 84127-0638 801-563-6496	trade debt (NOTE: Debtor will file a motion for authority to pay these amounts to vendor under 503(b)(9) and 507(a)(2))		17,409.01
Washburn Management LC 1044 South 400 West Orem, UT 84058	Attn Accounts Receivable Washburn Management LC 1044 South 400 West Orem, UT 84058 801-426-7688	Lease on Orem Location; real property taxes owed to landlord		16,541.94

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **February 3, 2010**

Signature **/s/ John P. McGrath**
John P. McGrath
President

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

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Portland, OR 97204

Attorneys for Debtor

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In re

McGrath's Publick Fish House, Inc.,

Debtor.

Case No.

**CERTIFICATE OF SERVICE OF
LIST OF CREDITORS HOLDING 20
LARGEST UNSECURED CLAIMS
ON THE U.S. TRUSTEE**

I hereby certify that I served (1) a copy of the **LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**, (2) address mailing labels for the debtor, debtor's attorney, and a contact person for each creditor on the List, and (3) this Certificate of Service on the U.S. Trustee at 405 East 8th Avenue, Suite 1100, Eugene, OR 97401 by mailing a copy thereof in a sealed, first-class postage prepaid envelope on the date set forth below.

DATED this 3rd day of February, 2010.

TONKON TORP LLP

By /s/ Leon Simson

Leon Simson, OSB No. 753429 (Lead Attorney)

Timothy J. Conway, OSB No. 851752

Haley B. Bjerk, OSB No. 062760

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